

1 Thomas M. Moroughan

2 MR. CLARKE: Objection.

3 A No.

4 Q Did he say anything like, I'm a  
5 cop?

6 MR. CLARKE: Objection.

7 A No.

8 Q Was there ever a time during that  
9 period of time when you were there at the  
10 scene that the person from the white car told  
11 you he was a cop?

12 MR. CLARKE: Objection.

13 A No.

14 Q Was there ever a time when you  
15 were there at the scene that you weren't sure  
16 if these were people were cops or not?

17 MR. CLARKE: Objection.

18 A As I was driving away --

19 Q Right?

20 A -- I'm remember hearing something  
21 to the effect of: Stop, cop, stop, stop.

22 And I remember thinking to  
23 myself, you know, there's no way that he is a  
24 cop.

25 So, no, I mean, I don't -- you

1 Thomas M. Moroughan

2 know, there wasn't a time where I didn't -- I  
3 mean, I guess there was a time that I didn't  
4 think -- that he said he was a cop or  
5 something as I was driving away.^ PLEASE CHK  
6 WITH AUDIO

7 But besides that, no, he never  
8 said -- he never said anything about being a  
9 cop.

10 Q So when he broke the window, he  
11 definitely didn't say anything to you at all?

12 A No.

13 Q Was Ms. Mondo in the car at that  
14 point?

15 A Yes.

16 Q Was Ms. Mondo -- I know you  
17 can't -- you don't know what is in her head --  
18 but she was in the passenger seat?

19 A Yes.

20 Q If someone was at your driver's  
21 window, said something, was Ms. Mondo close  
22 enough that she would hear it?

23 MR. CLARKE: Objection.

24 A Yeah.

25 Q And you mentioned that he struck

1 Thomas M. Moroughan

2 you with a gun?

3 A Yes.

4 Q Can you describe for me what the  
5 gun looked like?

6 A Now I know it to be a revolver.

7 Q But at the time -- at the time  
8 were you able to observe what type of gun it  
9 was?

10 A No.

11 Q Was there a time before you saw  
12 the muzzle flash from the gun that Ms. Mondo  
13 said anything about the guy in the white  
14 Infiniti having a gun?

15 A No.

16 Q So if I'm correct, when you were  
17 driving to the hospital at that point in time,  
18 throughout these events the person in the  
19 white car never said to you anything to the  
20 effect of you're going to jail or I'm a cop or  
21 anything like that?

22 MR. GRANDINETTE: Objection.

23 BY MR. MITCHELL:

24 Q Other than the comment as you  
25 were driving away?

1 Thomas M. Moroughan

2 A No.

3 MR. GRANDINETTE: Other than the  
4 comment about: Stop, cop.

5 MR. MITCHELL: When he is driving  
6 away.

7 MR. CLARKE: Which he was not  
8 sure about.^ CHECK

9 MR. GRANDINETTE: His testimony  
10 speaks for itself.

11 MR. CLARKE: Right.

12 BY MR. MITCHELL:

13 Q Did there come a time that you  
14 got to -- Huntington Hospital?

15 A Yes.

16 Q Did there come a time you got to  
17 Huntington Hospital?

18 A Yes.

19 Q Tell me what happened when you  
20 got to Huntington Hospital?

21 A I pulled up, put the car in park  
22 and I jumped out. I pulled up into the  
23 ambulance parking. I ran -- I was running  
24 towards the ambulance entrance, which is  
25 different than the main emergency room



Thomas M. Moroughan

entrance.

Q Okay.

A The security guard goes: You can't go in this way.

And I remember screaming at him, I've been shot, I've been shot.

And they let me in through that way.

Q Tell me what happened when you went in.

A First went in, they put me in wheelchair. The security guard was yelling that we had somebody with gunshots.

And that's when I started to receive treatment.

Q Can you tell me where it was that they brought you at that point?

A In the beginning I was right in the hallway.

Q When you say you started to receive treatment, did you receive treatment while you were there in the hallway?

A They cut my shirt off to see where I was bleeding from and where I was

1 Thomas M. Moroughan

2 shot. And I would say around the same time,  
3 that's when a uniformed officer came walking  
4 in.

5 Q And when you say "uniformed  
6 officer," do you know from what police force  
7 he was?

8 A Suffolk County.

9 Q And what led you to believe he  
10 was from Suffolk County Police Department?

11 A That it was -- maybe it's -- I  
12 knew him from a previous experience. I knew  
13 who it was.

14 Q Was this -- ultimately did you  
15 learn this officer's name to be Meaney?

16 A Yes.

17 Q When you say a previous  
18 experience, what was the previous experience  
19 that you had with Officer Meaney?

20 A He had written me a traffic  
21 violation.

22 Q And when Officer Meaney arrived  
23 there was there any other police officers  
24 there that you were aware of, at the time that  
25 Officer Meaney arrived?

1 Thomas M. Moroughan

2 A Not that I was aware of, no.

3 Q Can you tell me, when you were  
4 there in the hallway as you described, you  
5 were mentioning some treatment; that they took  
6 your shirt off.

7 A Yes. They cut my shirt.

8 Q And what, if any, treatment did  
9 they give you there in the hallway, if you  
10 know?

11 A Don't recall. I think they were  
12 trying to see where I was shot.

13 Q Okay.

14 Did there come a time that you  
15 learned how many times you were shot? At any  
16 time. Do you know how many times you were  
17 shot?

18 A I was shot twice.

19 Q Where on your body were you shot?

20 A I was shot in the right -- right  
21 side of my chest. I was shot in my left  
22 forearm.

23 Q Can you just point to me, when  
24 you say the right side of you chest, just  
25 point to me where it is?

1 Thomas M. Moroughan

2 A Right here (indicating).

3 MR. MITCHELL: Let the record  
4 reflect the witness is pointing to  
5 essentially what I would say is the,  
6 from north to south, an area that is  
7 just about even with his -- his armpit.  
8 From looking at his chest from north to  
9 south.

10 From east to west looking at his  
11 chest, he is wearing a necktie and I am  
12 going to say an area that is about an  
13 inch to the right of the neck tie. The  
14 necktie is centered on his body and it's  
15 about three inches wide.

16 Is that a fair description, Tony?

17 MR. GRANDINETTE: I would say  
18 that is fair.

19 BY MR. MITCHELL:

20 Q And then you mentioned that you  
21 were shot in your --

22 A Left forearm.

23 Q -- left forearm.

24 Can you point that out to me?

25 A Right here (indicating).

1 Thomas M. Moroughan

2 Q Okay.

3 Do you still have a mark on your  
4 arm that could indicate where you were shot?

5 A Yes.

6 Q Do you mind unbuttoning your  
7 sleeve so we can take a look at it?

8 A (Complies.)^

9 MR. MITCHELL: Okay. And I  
10 notice that there is a -- let the record  
11 reflect it appears to be a circular --  
12 when I say "circular," it almost looks  
13 like a perfectly round circle -- area,  
14 and it appears to be -- the skin has no  
15 hair in the area where the circle is.

16 Then running towards, from the  
17 circular location -- which I'm going to  
18 say is about, I don't know, Tony, about  
19 halfway up his forearm?

20 MR. GRANDINETTE: It's close. It  
21 is closer to his wrist than his elbow.

22 MR. MITCHELL: A little closer to  
23 his wrist.

24 And then running from the circle  
25 down towards his wrist it appears to be

1 Thomas M. Moroughan

2 some red coloring that I would describe  
3 as emulating blood.

4 BY MR. MITCHELL:

5 Q Is that blood, Mr. Moroughan?

6 A Yes.

7 Q Is it real blood?

8 A No.

9 Q You weren't bleeding today, is  
10 what I am saying.

11 A No.

12 Q Is that some form of tattoo?

13 A Yes.

14 Q You have a tattoo emulating blood  
15 running from the point where originally you  
16 had been shot on the 27th of February, 2011?

17 A Yes, sir.

18 Q When did you get the tattoo?

19 A Same year.

20 Q Do you know around when?

21 A I want to say the end of the  
22 summer.

23 Q Summer 2011?

24 A Yes, sir.

25 Q You can button your shirt up



Thomas M. Moroughan

again.

You mentioned that you were there at the hospital, that you were receiving treatment and you were out in the hallway.

You said you saw Officer Meaney; is that correct?

A Yes.

Q Did you speak to him at all?

A Yes.

Q At that point?

A Yes.

Q What did you say to him?

A He asked me if I was with the taxi. I said yes.

Q Okay.

A He asked me if I was okay. I remember saying: No, I'm going to die.

Q Okay.

A I was really afraid that I was actually going to die. Most people don't live through being shot.

MR. CLARKE: Objection. Move to strike.

MR. SCHROEDER: I move to strike

1 Thomas M. Moroughan

2 that, too.

3 ---

4 (Motion to Strike)^

5 ---

6 BY MR. MITCHELL:

7 Q What, if anything, did you say to  
8 him? Not what you were thinking. Tell me  
9 what you said to him.

10 A I said I was going to die.

11 Q What, if anything, did he say to  
12 you?

13 A He told me to calm down, and he  
14 asked me what happened.

15 I said in a brief description  
16 what happened. I told him that I got into an  
17 argument on the road and this fucking psycho  
18 just jumped out of his car and started  
19 shooting at me for no reason and that he came  
20 up to -- you know, he came up and broke my  
21 window and started hitting me in my face and  
22 that I managed to drive away and drove myself  
23 here.

24 Q Okay. You related that to  
25 Officer Meaney while you were there in the

1 Thomas M. Moroughan

2 hallway, correct?

3 A Yes.

4 Q About how long after the event,  
5 after the event at Oakwood, was that,  
6 time-wise? Do you know when you were there in  
7 the hospital talking to Officer Meaney?

8 A I want to say it was around 1:30,  
9 give or take a few minutes.

10 Q Okay.

11 About how long did it take you to  
12 get from the scene at Oakwood to the hospital?

13 A Few minutes.

14 Q Can you tell me -- when you say a  
15 "few minutes," five minutes, 10 minutes?

16 A Maybe five minutes.

17 Q Then from the time that you got  
18 there until the time you spoke to Officer  
19 Meaney about how much time went by?

20 A Three minutes maybe.

21 Q And what happened after you --  
22 what happened to you after you spoke to  
23 Officer Meaney; where did you go, if anywhere?

24 A They ended up putting me into a  
25 trauma room, which now I know to be Trauma

1 Thomas M. Moroughan

2 Room 2.

3 Q How do you know that to be Trauma  
4 Room 2? Have you gone back there? What's the  
5 source of you knowing it to be Trauma Room 2?

6 A I've been back to the hospital  
7 since then, yes.

8 Q And if you know, on the night of  
9 February 27th was it designated as Trauma  
10 Room 2?

11 A I believe so.

12 Q And you were placed into that  
13 room?

14 A Yes.

15 Q And were you in a bed?

16 A A stretcher, yes.

17 Q Was there anybody else in the  
18 room that you were aware of that was a  
19 patient, other than yourself?

20 A No.

21 I believe they brought in someone  
22 later, but not at that particular time, no.

23 Q When you say later on -- I'm  
24 going to jump ahead -- you were there at the  
25 hospital from the time you got there until

Thomas M. Moroughan

about 8 in the morning?

A Yes, I believe so.

Q In that window, when do you mean later on that they brought someone else in there?

A I don't know.

Q You don't know if it was closer to when you first got there or when you left?

A I believe it was more towards closer to when I left. I can't be a hundred percent sure.

Q The person that they brought in there, do you remember what that person looked like?

A No.

Q Do you know why they were brought in?

A No.

Q But it was a patient?

A I believe so, yes.

Q Did the patient speak to you at all?

A No.

Q Did you speak to them?

1 Thomas M. Moroughan

2 A No.

3 Q If you know, were you able to  
4 observe any visible injury on that person?

5 A No.

6 Q Were doctors treating that  
7 patient when you were in there?

8 A It is a hospital, so I would  
9 imagine.

10 MR. GRANDINETTE: Don't guess.

11 BY MR. MITCHELL:

12 Q Were there any doctors near that  
13 person, when you were in the room and that  
14 person was brought in, the patient was brought  
15 in the room, were doctors near that person,  
16 were doctors doing anything in relation to  
17 that person?

18 A I don't know. I wasn't paying  
19 attention.

20 MR. SCHROEDER: I'm sorry.

21 Before your next question.

22 I know you testified about this.  
23 What time was that? About what stage  
24 was this?

25 MR. GRANDINETTE: I don't --



1 Thomas M. Moroughan

2 MR. MITCHELL: That the patient  
3 was brought in?

4 I will ask him again.

5 BY MR. MITCHELL:

6 Q Do you have any idea when the  
7 patient was brought in the room?

8 MR. GRANDINETTE: Objection.

9 Just object to the form that he said he  
10 believes there was a patient that was  
11 brought in.

12 Subject to that objection, go  
13 ahead.

14 A I want to say more towards the  
15 end.

16 Q "The end" being more towards  
17 8 o'clock?

18 A More towards 8:00 a.m., yes.

19 Q Can you describe for me what this  
20 patient looked like?

21 MR. GRANDINETTE: Objection;  
22 asked and answered.

23 A I don't remember.

24 Q Do you know if it was a man or a  
25 woman?

1 Thomas M. Moroughan

2 MR. GRANDINETTE: Objection;

3 asked and answered.

4 A No.

5 Q Did there come a time when you  
6 were there in that room, the one you described  
7 as Trauma Room 2, that anybody came in the  
8 room, other than medical personnel?

9 A Yes.

10 Q Let me ask you this -- I should  
11 ask this:

12 When you were in Trauma Room 2,  
13 after -- were there times when medical  
14 personnel came in?

15 A Yes.

16 Q And do you recall, sitting here  
17 today, any of the names of the medical  
18 personnel?

19 A No.

20 Q Did they introduce themselves to  
21 you at all, the medical personnel?

22 A Probably.

23 Q Do you have a recollection of  
24 about how many medical personnel engaged with  
25 you throughout that period of time you were

1 Thomas M. Moroughan

2 there?

3 A No idea.

4 Q Do you have a recollection if  
5 they were men or women?

6 A It was both.

7 Q Did you have any particular  
8 medical person that worked on you, gave you  
9 treatment, that you recall?

10 A Dr. Martin.

11 But that is also because I did  
12 followups with him.

13 Q You recall Dr. Martin having  
14 treated you that -- I'll call it early  
15 morning, on February 27th?

16 MR. GRANDINETTE: Objection to  
17 form.

18 You can answer.

19 A Yes.

20 Q About how many times did  
21 Dr. Martin engage you and treat you when you  
22 were there on February 27th, if you know?

23 A I believe he was in only just the  
24 one time.

25 Q And again, using that time window

1 Thomas M. Moroughan

2 when you first got there -- which you think  
3 was about when, 1:30?

4 A Yes.

5 Q -- until 8 o'clock, do you  
6 remember when it was that Dr. Martin came in?

7 A I want to say about halfway.

8 Q About halfway, when Dr. Martin  
9 came in, can you tell me what Dr. Martin did?

10 A Checked -- he was checking the  
11 bullet wounds. He was called in. I believe  
12 he was a vascular surgeon, if I remember  
13 correctly. He was checking the -- the one on  
14 my chest.

15 Q And can you describe to me what  
16 Dr. Martin looked like?

17 A Caucasian male. Maybe 40s.

18 Q Did Dr. Martin ask you at all  
19 about how you had suffered the wounds?

20 A No.

21 Q Okay. Did he ask you anything?  
22 Did he speak to you at all?

23 A Yes. He asked me how I was  
24 feeling.

25 Q Did you respond?

1 Thomas M. Moroughan

2 A Yes.

3 Q And when you responded what did  
4 you say?

5 A That I was hurt.

6 Q Did you say anything else to him?

7 A I was hurt. I was tired.

8 Confused.

9 Q Did he say anything else to you?

10 A I remember asking him if I was  
11 going to die. He said that it looks like I'll  
12 be okay.

13 Q And do you remember anything else  
14 about the conversation with Dr. Martin?

15 A No.

16 Q After you were brought into the  
17 trauma room, other than medical personnel was  
18 there ever a time when any person that you  
19 believed to be law enforcement or police  
20 officers came into the room?

21 A Yes. Officer Meaney came back  
22 with another officer. I don't know his name.

23 Q If I could just slow you down.

24 When you say Officer Meaney, that  
25 was the fellow that you first saw when you

1 Thomas M. Moroughan

2 came in the hospital?

3 A Yes.

4 Q If you know, was he in uniform?

5 A Yes.

6 Q When you say he came back, you  
7 mean to that trauma room?

8 A Yes.

9 Q When you say he came with another  
10 officer, was the other officer in uniform?

11 A Yes.

12 Q If you know, was the other  
13 officer from the Suffolk County Police  
14 Department?

15 A I believe so, yes.

16 Q And when Officer Meaney came back  
17 with the other officer, what happened at that  
18 point?

19 A The other officer -- both of them  
20 started engaging in questions with me. I  
21 don't remember who said what question.

22 Q Okay.

23 Do you remember the content of  
24 the question?

25 A The content of the question was



1 Thomas M. Moroughan

2 that they had a report that I was involved in  
3 a gunfight. They wanted to know -- that they  
4 said they found a gun in my car, they wanted  
5 to know if it was my gun.

6 Because -- I forgot to say this.  
7 Previous to when I went into the trauma room  
8 and I originally had the encounter with  
9 Meaney, he had asked me if I had a gun.

10 Q Okay.

11 A I told him no.

12 He goes: Are you sure. If  
13 somebody gets hurt, we found out you had a  
14 gun, you're going to be in a lot of trouble.

15 I said: All right. I don't own  
16 a gun. I've never had a gun.

17 And then when they came back in,  
18 that's when -- that's when they said they had  
19 found a gun in my car, they wanted to know if  
20 there was an additional gun. They wanted to  
21 know which route I took to get there.

22 Q To get to the hospital?

23 A To get to the hospital.

24 Q Uh-huh.

25 A It was mainly the other officer

1 Thomas M. Moroughan

2 who was asking me.

3 Q Okay.

4 And when you mentioned that  
5 earlier, that Meaney asked if you had a gun,  
6 that was in the hallway?

7 A Yes.

8 Q Now you're in the trauma room?

9 A Yes.

10 Q Meaney is there with a different  
11 police officer?

12 A Yes.

13 Q Can you describe what the other  
14 police officer looked like?

15 A A little bit taller than Meaney.  
16 He had dark hair. I think he might have had a  
17 mustache. I'm not a hundred percent sure.

18 Q Do you remember, was he a white  
19 guy, black guy, Hispanic guy?

20 A Either white or Hispanic.

21 Q You said taller than Meaney. How  
22 tall is Meaney?

23 A Meaney is probably about 5-10,  
24 5-11.

25 Q This officer you believe --

1 Thomas M. Moroughan

2 A Maybe 6 foot, 6-1.

3 Q This officer you believe to have  
4 been taller than Meaney?

5 A Yes.

6 Q Okay. And that officer talked to  
7 you about, as you just mentioned, whether you  
8 had a gun, the route you took, that type of  
9 thing?

10 A Yes.

11 Q Was it your belief at that point  
12 that they were asking questions in an effort  
13 to try and locate a gun, if there was another  
14 one out there?

15 A Yes.

16 Q And did there come a time that  
17 those officers -- that the officer that was  
18 with Meaney left?

19 A Yes.

20 Q Other than what you've told me  
21 about what that officer said to you, did the  
22 officer speak to you about anything else?

23 A I believe that he had asked me  
24 what happened. I gave him the same  
25 explanation that I gave to Meaney.

1 Thomas M. Moroughan

2 Q Okay.

3 And did there come a time that  
4 any other law enforcement persons came in  
5 after that officer left? Did there come a  
6 time that any other law enforcement persons  
7 came in?

8 A Yes. I had two detectives come  
9 in. They actually -- they identified  
10 themselves as Nassau County detectives. They  
11 asked me what happened. And -- but before  
12 that -- before another law enforcement people  
13 came in, I already had somebody come in to see  
14 me on a personal level.

15 Q I didn't ask you that. We might  
16 get to that.

17 Sticking with the law enforcement  
18 people right now, you said two persons came in  
19 that were Nassau County detectives?

20 A Yes.

21 Q What led you to believe that they  
22 were Nassau County detectives?

23 A That was how they identified  
24 themselves.

25 Q Did they tell you their names?

1 Thomas M. Moroughan

2 A Not that I can remember. I'm  
3 pretty sure they did.

4 Q Did they show you any badge or  
5 anything?

6 A No.

7 Q Were they in plainclothes?

8 A They were in suits.

9 Q And do you recall what they  
10 looked like?

11 A There was a guy who was -- tall  
12 guy, there was a short -- not -- I don't want  
13 to say short. Maybe my height. Maybe a  
14 little shorter.

15 Q How tall are you?

16 A 5-8.

17 Q You said one of them was your  
18 height, maybe a little shorter?

19 A Yes. The other guy was taller.

20 Q When you say "taller," again, can  
21 you estimate how tall he was?

22 A I want to say somewhere around 6  
23 foot maybe.

24 Q They were both men?

25 A Yes.

1 Thomas M. Moroughan

2 Q Do you recall if they were white  
3 guys, black guys?

4 A White guys.

5 Q Did they have any facial hair?

6 A Not that I can recall.

7 Q And do you recall if they -- if  
8 any of them -- what the color of their hair  
9 was, on their head?

10 MR. GRANDINETTE: Don't guess.

11 Q If you don't know, you don't  
12 know.

13 A No.

14 Q And what, if anything, did they  
15 say to you?

16 A They asked me if I could tell  
17 them what happened. And I kept asking for my  
18 lawyer. And they were trying to convince me  
19 that I didn't need a lawyer, only suspects  
20 need lawyers. You're a victim.

21 I just kept asking: I want my  
22 lawyer. She's right there. I want my lawyer.

23 MR. CLARKE: Note my objection.

24 Q Let me just do this:

25 Did there come a time when you



1 Thomas M. Moroughan

2 were in that Trauma Room 2 that someone came  
3 to visit you that was someone that Ms. Mondo  
4 knew or was a relative of Ms. Mondo?

5 A Yes.

6 Q Is that someone -- what was that  
7 person's name?

8 A Ann Marie Mondo.

9 Q If I'm correct, Ms. Ann Marie  
10 Mondo was allowed to come into the trauma  
11 room?

12 A Yes.

13 Q She identified herself as your  
14 stepmom or something like that?

15 A Yes.

16 Q Around what time did Ann Marie  
17 Mondo come in the room, if you know?

18 A Not sure of the time. It wasn't  
19 long after I got there.

20 Q Did you speak to Ann Marie Mondo?

21 A Yes.

22 Q When you spoke to Ann Marie Mondo  
23 was there any other law enforcement persons  
24 there?

25 A I believe so. Meaney.

1 Thomas M. Moroughan

2 Q Other than Officer Meaney, was  
3 there anyone else there?

4 A I don't recall.

5 Q And when you spoke with Ann Marie  
6 Mondo, about how long was it that you spoke to  
7 her?

8 A Few minutes. They told her that  
9 she had to go.

10 Q When you spoke with her -- are  
11 you familiar with a person named Risco Lewis?

12 A Yes.

13 Q Is that someone you call your  
14 Godmother?

15 A Yes.

16 Q Is it -- you have that -- you  
17 call her that because you have a close  
18 relationship with her, although you don't have  
19 a -- you're not a relative of her?

20 A Correct.

21 Q Is that a fair way to say it?

22 A Yes.

23 Q When you spoke with Ann Marie  
24 Mondo did you say anything to her about  
25 Ms. Lewis?

1 Thomas M. Moroughan

2 A Yes.

3 Q What did you say to her?

4 A I said I need you to call Risco  
5 for me. That I was shot and I wanted her  
6 there.

7 Q And did there come a time you --  
8 you mentioned there came a time when Ann Marie  
9 Mondo left Trauma Room 2?

10 A Yes.

11 Q Did there come a time when  
12 Ms. Lewis arrived at the hospital?

13 A Yes.

14 Q Do you remember around what time  
15 Ms. Lewis arrived?

16 A I want to say somewhere between 2  
17 and 3:30.

18 Q When Ms. Lewis arrived had  
19 Ms. Ann Marie Mondo left the trauma room?

20 A Yes.

21 Q When Ms. Lewis arrived, was there  
22 a time where you actually saw her?

23 A Yes.

24 Q Okay. Where was she when you saw  
25 her?

1 Thomas M. Moroughan

2 A She was on the other side of the  
3 nurses' station. I was able to see, from  
4 where my bed was, straight across to her.

5 Q Okay. And do you know what the  
6 distance was where she was?

7 A 30, 40 feet maybe.

8 Q When you saw Ms. Lewis, what, if  
9 anything, did you do?

10 A I started screaming that I want  
11 my lawyer.

12 Q When you say "screaming," can you  
13 tell me like were you literally screaming as  
14 loud as you could?

15 A Yes.

16 Q As opposed to just raising your  
17 voice?

18 A I was screaming.

19 Q You said: I want my lawyer.  
20 When you said, I want my lawyer,  
21 you were referring to Ms. Lewis?

22 A Yes.

23 Q And before Ms. Lewis had arrived,  
24 had you said anything at all to Officer Meaney  
25 about Ms. Lewis? Anything that you recall?

1 Thomas M. Moroughan

2 A No.

3 Q When Ms. Lewis arrived, you said  
4 you were screaming: I want my lawyer.

5 You were referring to --

6 A I just want my lawyer. There's  
7 my lawyer.

8 Q What happened at that point when  
9 you were screaming for Ms. Louis, if you know?

10 A I believe Meaney went out and  
11 spoke to Ms. Lewis.

12 Q Did you actually see -- could you  
13 see Meaney go and speak to her?

14 A Yes.

15 Q Then what happened?

16 A Then he came back and said that  
17 I'm not allowed to have any visitors at the  
18 hospital. The hospital didn't want her -- he  
19 had orders that I couldn't have any visitors  
20 at that time.

21 Q Okay.

22 Did Meaney say anything to you  
23 about his conversation with Ms. Lewis at all?

24 MR. GRANDINETTE: Don't guess.

25 A No, not that I can recall.

1 Thomas M. Moroughan

2 Q Did there come a time that you  
3 were aware of what Ms. Lewis said to Meaney  
4 when he speak to her?

5 A No.

6 Q Have you ever learned what  
7 Ms. Lewis said to Meaney when he spoke to her?

8 A Yeah.

9 Q Okay. Okay.

10 A I think she said that it would  
11 be -- that she is an ADA from Nassau and that  
12 it would be a conflict for her to be my  
13 lawyer.

14 I know Meaney went out there and  
15 asked her: Are you his lawyer.

16 And she said no.

17 Further conversation about her  
18 getting -- she said she had told either him or  
19 a detective, I don't remember, that I can't be  
20 his lawyer, but I'm calling one for him.  
21 Something of that nature.

22 Q Okay. So you were aware --  
23 you've become aware that Ms. Lewis said to law  
24 enforcement persons there that she could not  
25 be your lawyer?



1 Thomas M. Moroughan

2 MR. GRANDINETTE: Just for the  
3 record, he became aware subsequent to  
4 these --

5 MR. MITCHELL: That's why I used  
6 that phrase.

7 BY MR. MITCHELL:

8 Q Right? You've come to learn  
9 that?

10 A Yes.

11 Q You mentioned that Ms. Lewis had  
12 arrived, you were screaming as you said.  
13 Officer Meaney went and spoke with her as  
14 you've described, correct?

15 A Yes.

16 Q Tell me what happened after that?  
17 Is that when the detectives came in? The  
18 Nassau guys?

19 MR. CLARKE: Objection.

20 A No. I was screaming for her for  
21 quite some time over and over again. I didn't  
22 care if Meaney said I couldn't have any  
23 visitors.

24 Q Okay.

25 A I was screaming to her: Help me.

1 Thomas M. Moroughan

2 They hurt me. They shot me for no reason.

3 And then eventually the Nassau --  
4 what was -- the Nassau detectives came in.  
5 And they started trying to -- they were trying  
6 to question me.

7 Q Okay. At that point Ms. Lewis  
8 was there?

9 A She was in the hospital, yes.

10 Q And did she say anything to you  
11 when you were screaming in her direction? Do  
12 you know if she said anything back to you?

13 A No. She just used her hand  
14 gesture, like telling me to calm down. Waving  
15 her hand up and down. You know. She was like  
16 putting her finger over her mouth for me to  
17 shush.

18 Q Like a shush motion?

19 A Just to calm down and she was  
20 trying to get me to relax.

21 MR. MITCHELL: Let the record  
22 reflect that the witness took his index  
23 finger and put it over his lips like in  
24 a shush motion.

25 BY MR. MITCHELL:

1 Thomas M. Moroughan

2 Q Yes?

3 A Yes.

4 MR. GRANDINETTE: You said a  
5 swish?

6 MR. MITCHELL: A shush. You  
7 know, a shush?

8 BY MR. MITCHELL:

9 Q You mentioned that there came a  
10 time that the two Nassau detectives came in?

11 A Yes, correct.

12 Q When they came in did you  
13 indicate to them that you wanted to speak to  
14 Ms. Lewis?

15 A Yes.

16 Q At that point you said Ms. Lewis  
17 was your lawyer?

18 A Yes.

19 Q If you know, did the Nassau  
20 detectives have any conversation with  
21 Ms. Lewis at that point?

22 A No.

23 Q If you know, did the Nassau  
24 detectives have any conversation with Officer  
25 Meaney at that point?

1 Thomas M. Moroughan

2 A No.

3 MR. CLARKE: No, you don't know,  
4 or no, they didn't?

5 THE WITNESS: I can't recall.

6 BY MR. MITCHELL:

7 Q Is it fair to say you don't know  
8 one way or the other whether the Nassau  
9 detectives, when they were speaking to you,  
10 you don't know whether they were informed that  
11 Ms. Lewis said she can't be your lawyer?

12 You follow my question?

13 A I don't know if they were  
14 informed or not.

15 Q You mentioned that they were  
16 speaking to you. Right? Tell me what they  
17 said to you and what you said to them.

18 A They said -- I asked -- they  
19 wanted to question me. I said I wanted my  
20 lawyer. I just want my lawyer. There's my  
21 lawyer. Can I please have my lawyer.

22 Lawyer -- you don't need a  
23 lawyer. You're the victim. We just need to  
24 get your statement real fast so we can get  
25 everything going.

1 Thomas M. Moroughan

2 At that point in time, I believe  
3 that's when the doctor -- medical personnel  
4 came in.

5 Q Okay.

6 A Asked them if they could come  
7 back.

8 Q Okay.

9 A They came in. I believe they  
10 did -- re-did my dressing.

11 Q "They" being the medical --

12 A Medical personnel.

13 They redid my dressing. And I  
14 believe at that point in time I got more pain  
15 medicine.

16 Q Did the detectives leave the room  
17 when the doctors came in?

18 A Yes.

19 Q And did they -- did you -- before  
20 they left the room did you speak to them about  
21 what happened?

22 A No.

23 Q It didn't get to that point?

24 A No.

25 Q Did either of those detectives,

1 Thomas M. Moroughan

2 before they left the room, did you see them  
3 writing anything down?

4 A Before they left the room, no.

5 Q You mentioned that the medical  
6 professionals came in and treated you again?

7 A Yes.

8 Q Do you remember what time it was  
9 when the Nassau detectives came in the room,  
10 the ones you've described, for the first time?

11 A Estimate -- there was no clock.

12 Q Do you have a general idea?

13 A I'd say somewhere between 2:30  
14 and 3 o'clock.

15 Q Okay. In the morning, obviously?

16 A Yes.

17 MR. GRANDINETTE: Could I  
18 interrupt, Mr. Mitchell, for one second?

19 MR. MITCHELL: Sure.

20 ---

21 (Discussion off the record.)

22 ---

23 BY MR. MITCHELL:

24 Q Did there come a time after these  
25 doctors treated you that the -- that any law



1 Thomas M. Moroughan

2 enforcement person came back in the room?

3 A Those same two detectives came  
4 back.

5 Q And about how long was it from  
6 the time that they walked out, the Nassau  
7 guys, to the time they came back?

8 A I don't know.

9 Q Do you have any idea how long you  
10 were being treated by those doctors that came  
11 in the room and told them to leave?

12 MR. GRANDINETTE: Objection to  
13 the form, the word "doctors," as opposed  
14 to --

15 Q The medical professionals.

16 A I want to say that -- I don't  
17 want to guess.

18 Q Okay.

19 A It wasn't very long.

20 Q Okay.

21 What did the medical  
22 professionals do at that point? Do you  
23 remember what they did to you, treatment-wise?

24 MR. GRANDINETTE: Objection;  
25 asked and answered.

1 Thomas M. Moroughan

2 A Like I said before, I believe  
3 they changed my dressing. I remember getting  
4 more pain medicine.

5 Q Okay.

6 A Basically, that's what I remember  
7 right now. It could have been more.

8 Q Did there come a time that those  
9 Nassau detectives came back to your room?

10 A Yes.

11 Q Was it the same two detectives?

12 A Yes.

13 Q And when they came back to the  
14 room were the medical professionals still  
15 there?

16 MR. GRANDINETTE: If you know.

17 A No. I believe that they had  
18 walked out and that's when they walked back  
19 in.

20 Q When they came back in did they  
21 speak to you again?

22 A Yes.

23 Q What did they say to you this --  
24 I'm going to call it this second time they  
25 came in? What did they say to you?

1 Thomas M. Moroughan

2 A They asked me what happened.

3 I was still very much: I want my  
4 lawyer. I want my lawyer.

5 Q Okay. Let me just stop you.

6 When you were saying I want my  
7 lawyer you were referring to Ms. Lewis?

8 A Yes.

9 Q What did they say to you, if  
10 anything?

11 A Basically saying the same spiel  
12 about how I don't need a lawyer. That the  
13 lawyer -- you know, a lawyer slows things  
14 down. Only suspects need lawyers. You're a  
15 victim. You have two gunshot wounds. We want  
16 to know what -- we want to know what happened.  
17 We need to know what happened.

18 Q Okay.

19 A You know, I told them what  
20 happened.

21 Q And when you told them what  
22 happened, what did you tell them?

23 A I told them that I was driving --  
24 I was driving and I got cut off by a car. And  
25 then another car came up flying behind me,

Thomas M. Moroughan

1 flashed his high beams and was beeping his  
2 horn, and I let him go around me, and there  
3 was another point in time where I saw them  
4 parked on the side of the road, and I  
5 confronted them on the -- on their driving,  
6 the one guy in the second vehicle. And that  
7 me and him exchanged words and we cursed each  
8 other out. And that the guy jumped out of his  
9 car like a psycho and started, you know -- as  
10 soon as -- started shooting right through my  
11 windshield. The guy came up to my car, he  
12 broke open my window and he started hitting me  
13 in the face, and I managed to drive myself  
14 away and I drove here.

15  
16 Q Okay.

17 This is what you told the  
18 detectives the second time that they came in  
19 the room?

20 A Yes.

21 Q You related that to them?

22 A Yes.

23 Q You have a clear recollection of  
24 telling them that?

25 A Yes.

1 Thomas M. Moroughan

2 Q While you were telling them that  
3 were they writing anything down?

4 A I believe so, yes.

5 Q And you think these were two  
6 Nassau County detectives?

7 A Yes.

8 Q And you believe they identified  
9 themselves but you don't remember what their  
10 names were?

11 A Yes.

12 Q Have you ever seen those persons  
13 since February 27, 2011?

14 A No.

15 Q Have you ever looked at any type  
16 of photographs or anything like that to try  
17 and identify who those persons were?

18 A No.

19 Q Did there come a time that they  
20 left the room?

21 A Yes.

22 Q And about how long were they in  
23 the room with you this second time speaking to  
24 you?

25 A Probably about a half-hour, 45

Thomas M. Moroughan

minutes.

Q After they left the room, what happened to you at that point, after they left the room?

A Nothing for a while. I mean, I was still very much in pain, I was crying for Ms. Lewis. Throughout the night: I just want my lawyer, I want my lawyer, I want my lawyer.

Q Let me stop you.  
When you say, I want my lawyer, when you used that phrase you were referring to Ms. Lewis?

A Yes.

Q And again, throughout that period of time could you still see her? Was she still there?

A Yes.

Q Was she continuing to do the same thing; like in other words, as you mentioned before, giving you hand gestures or some sort of physical gesture to express to you to calm down, that type of thing?

A Yes. Calm down.

You know, I was like: Please



1 Thomas M. Moroughan

2 come in here.

3 I remember her like shrugging her  
4 shoulders, like I can't, a few times.

5 MR. SCHROEDER: Objection.

6 A I didn't understand how my -- I  
7 couldn't have my lawyer there.

8 Q Okay.

9 Now sitting here today you've  
10 come to learn that she told the law  
11 enforcement persons she could not be your  
12 lawyer, correct?

13 A Correct.

14 Q Does that help you now understand  
15 why she couldn't come in the room?

16 MR. GRANDINETTE: Objection.

17 A Yes.

18 Q Okay.

19 When you were there yelling for  
20 her, did she ever raise her voice and yell  
21 back to you?

22 A No.

23 Q Now, there came a time, you  
24 mentioned, that the detectives left your room.  
25 And at that point did you receive any further

1 Thomas M. Moroughan

2 medical treatment, that you're aware of?

3 A Yes.

4 Q What type of medical treatment  
5 did you receive?

6 A I had X-rays, they cleaned my  
7 wound a few times. Changed the dressings. I  
8 was bleeding. I believe I had an MRI or a CAT  
9 scan. I had a few different shots of  
10 antibiotics, pain meds.

11 There was a few times where I had  
12 medical attention.

13 Q You mentioned that they did  
14 X-rays?

15 A Yes, I believe so.

16 Q Did they take you from the trauma  
17 room to go get X-rays?

18 A Yes.

19 Q Do you know if Officer Meaney  
20 went with you when you went to get the X-rays?

21 A I believe so.

22 Q And throughout the period of time  
23 that we are up to now, from the time you got  
24 into the trauma room up until now, were you  
25 ever handcuffed?

1 Thomas M. Moroughan

2 A Not that I remember, no.

3 Q You mentioned that you also went  
4 for a CAT scan? Is that what you said?

5 A Yes.

6 Q Or an MRI?

7 A I believe it was a CAT scan.

8 Q Was that in a different spot than  
9 Trauma Room 2?

10 A I don't remember.

11 Q You don't remember if they did  
12 that in Trauma Room 2 or if you were taken  
13 out?

14 A No.

15 Q But you do recall being taken to  
16 get X-rays?

17 A Yes.

18 Q Were you brought back to Trauma  
19 Room 2?

20 A Yes.

21 Q You mentioned Officer Meaney went  
22 with you to the X-ray, to get the X-rays?

23 A Yes.

24 Q Then did he come back with you to  
25 Trauma Room 2?

1 Thomas M. Moroughan

2 A Yes.

3 Q Were there medical professionals  
4 with you when you left Trauma Room 2 to get  
5 the X-rays?

6 A Not sure.

7 Q Okay.

8 Can you just describe, to the  
9 best you can, when you went to get the X-rays,  
10 was that in a separate area of the hospital?  
11 How far away was it from the trauma room?

12 A It's only like maybe two or three  
13 doors down. There was an X-ray room in the  
14 emergency room, closer towards the exit door.

15 Q Okay. They brought you in there?

16 A Yes.

17 Q When you actually got the X-ray,  
18 do you know what parts of your body they  
19 X-rayed?

20 A They X-rayed my chest, my arm.  
21 They might have X-rayed my face. I'm not a  
22 hundred percent sure. I know the CAT scan was  
23 for my face.

24 Q When you were getting your  
25 X-rays, did the -- I'll call the person the

1 Thomas M. Moroughan

2 technician -- do you remember if it was a man  
3 or a woman?

4 A I believe it was a male.

5 Q Did they give you any  
6 instructions, like can you move your body this  
7 way or turn your arm that way?

8 A Yes.

9 Q Did you comply with those?

10 A Yes. To the best of my ability,  
11 yes.

12 Q So that they could take the X-ray  
13 in a certain position?

14 A Yes.

15 Q When you had the CAT scan were  
16 you given any instructions about which way to  
17 move, anything like that?

18 A No. I don't believe so.

19 Q But when you were given the  
20 instructions with the X-ray technician you  
21 were able to comply?

22 A Yes.

23 Q You understood what the person  
24 was saying to you?

25 A Yes.

1 Thomas M. Moroughan

2 Q Now, did there come a time -- you  
3 said you had had the X-rays -- you were  
4 brought back to Trauma Room 2?

5 A Yes.

6 Q Did there come a time that law  
7 enforcement personnel came in Trauma Room 2  
8 again after that?

9 A There was a few people who came  
10 in. Spoke to Meaney. Uniformed. I don't  
11 know what they spoke about. Briefly.  
12 Throughout the night.

13 And then I had two Suffolk County  
14 homicide detectives come in.

15 Q When you say the officers spoke  
16 to Meaney, you said they were in uniform?

17 A Yes. Yes. Suits and uniforms  
18 both spoke to Meaney.

19 Q But they did not speak to you?

20 A No.

21 Q If you know, the guys in  
22 uniform -- actually, were there any women that  
23 you saw, in uniform?

24 A Not quite sure.

25 Q The persons that you saw in



1 Thomas M. Moroughan

2 uniform, if you know, were they Nassau or  
3 Suffolk County police?

4 A I remember seeing one Nassau  
5 because I noticed the lion on the sleeve.

6 Q Nassau in uniform?

7 A Yes.

8 Q Throughout the -- what you have  
9 explained to me, about when was it that you  
10 saw the Nassau uniformed police officer?

11 MR. GRANDINETTE: If you know.

12 A I don't know.

13 Q Did you see that Nassau uniformed  
14 police officer speaking to Meaney, or you just  
15 saw him sometime throughout the night?

16 A I believe I saw him speaking to  
17 Meaney.

18 Q You're not sure where in the  
19 sequence that you saw that?

20 A No. It could have been a hello.  
21 I'm not sure exactly what they said.

22 Q You mentioned that there came a  
23 time that you got back in the trauma room  
24 after the X-rays --

25 A Yes.

1 Thomas M. Moroughan

2 Q -- and the CAT scan --

3 A Yes.

4 Q -- and there came a time when  
5 Suffolk County homicide detectives came into  
6 the Trauma Room 2?

7 A Yes.

8 Q How much time went by between  
9 when you were brought back to Trauma Room 2  
10 after the X-rays and when the Suffolk County  
11 homicide detectives were there?

12 MR. GRANDINETTE: Hold on for one  
13 second.

14 I'll object to the form.

15 Can you read that back?

16 ---

17 (Record read.)

18 ---

19 MR. GRANDINETTE: I'm going to  
20 object to the form because he went out  
21 two different times: One in X-ray, one  
22 a CAT scan. I don't know if we pinned  
23 down which one happened first or any  
24 timeline.

25 BY MR. MITCHELL:

1 Thomas M. Moroughan

2 Q Let me ask you this:

3 Did there come a time when  
4 Suffolk County homicide detectives came into  
5 your room?

6 A Yes.

7 Q Was there a time before that that  
8 you had been out of the room?

9 A Yes.

10 Q Okay. From the time that you  
11 were last out of the room and brought back to  
12 the time that the homicide guys came in, how  
13 much time went by?

14 MR. GRANDINETTE: If you know.

15 A A few hours. I don't know.

16 Q But when you say you don't know,  
17 was it a few hours? In other words, it was  
18 more than ten minutes?

19 MR. GRANDINETTE: Don't guess.

20 A I'm not sure.

21 Q Was it at least an hour, if you  
22 know?

23 A I don't know. It could have  
24 been.

25 Q During the period of time from